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NATHAN J. DANIELS, COUNTY RECORDER
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AMENDMENT TO THE
DECLARATION AND BYLAWS
CREATING AND ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO
FOR
CATAWBA SHORES NORTH CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION AND BYLAWS CREATING AND ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO FOR CATAWBA SHORES NORTH CONDOMINIUM RECORDED AT VOLUME 318, PAGE 144 ET SEQ. OF THE OTTAWA COUNTY RECORDS.

AMENDMENT TO THE
DECLARATION AND BYLAWS CREATING AND ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP UNDER CHAPTER 5311 OF THE REVISED
CODE OF OHIO FOR CATAWBA SHORES NORTH CONDOMINIUM

RECITALS

- A. The Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for Catawba Shores North Condominium (the "Declaration") and the Bylaws of Catawba Shores North Condominium Association (the "Bylaws"), attached to and made part of the Declaration, were recorded at Ottawa County Records, Volume 318, Page 144 et seq.
- B. The Catawba Shores North Condominium Association (the "Association") is a corporation consisting of all Unit owners in Catawba Shores North Condominium and as such is the representative of all Unit owners.
- C. Declaration Article XIX, Section 1 authorizes amendments to the Declaration.
- D. Unit owners representing at least 75 percent of the Association's current voting power have executed instruments in writing setting forth specifically the matter to be modified (the "Amendment").
- E. As of June 2, 2022, Unit owners representing 75.86 percent of the Association's voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment D and authorizing the Association's officers to execute Amendment D on their behalf.
- F. Attached as Exhibit A is a certification of the Association's President and Treasurer stating that the Amendment was duly adopted in accordance with the Declaration provisions in all material respects.
- G. The Association has complied with the proceedings necessary to amend the Declaration and Bylaws, as required by Chapter 5311 of the Ohio Revised Code and the Declaration and Bylaws, in all material respects.

AMENDMENT

The Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for Catawba Shores North Condominium is amended by the following:

AMENDMENT A

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT B

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT C

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT D

DELETE DECLARATION ARTICLE XI, SECTION 1(f) in its entirety. Said deletion to be taken from Page 14 of the Declaration, as recorded at Ottawa County Records, Volume 318, Page 144 et seq.

INSERT a new DECLARATION ARTICLE XI, SECTION 1(f). Said new addition, to be added to Page 14 of the Declaration, as recorded at Ottawa County Records, Volume 318, Page 144 et seq., is as follows:

(f) will have a reasonable deductible as determined by the Board;

INSERT a new PARAGRAPH at the end of DECLARATION ARTICLE XI, SECTION 1. Said new addition, to be added to Page 14 of the Declaration, as recorded at Ottawa County Records, Volume 318, Page 144 et seq., is as follows:

In addition, the Unit owner is responsible for any repairs or expenses up to the amount of any applicable deductible for loss or

damage to their Unit and the Association is responsible for all costs and other expenses pertaining to the Common Elements and Limited Common Elements. If a single loss affects multiple portions of the Condominium Property, for example, one or more Units and the Common Elements, the repair costs and expenses not paid for by the insurance proceeds are to be proportionately allocated in relation to the amount each party's claim bears to the total amount of the claim, with the party incurring the larger share of the loss responsible for the larger share of the deductible. The Association may assess the amount of any deductible expense attributable to any Unit(s) to the Unit owner(s) of the affected Unit(s) in accordance with Declaration Article XV, Section 3(c).

Any conflict between the above provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this provision modifying the deductible requirements for the Association's insurance coverage. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Unit owners of record at the time of such filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of this amendment.

AMENDMENT E

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT F

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT G

Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the Ottawa County Records

AMENDMENT H

*Amendment Recorded on April 8, 2022, at OR 1893, Page 383 et seq. of the
Ottawa County Records*

The Catawba Shores North Condominium Association has caused the execution of
this instrument this 27th day of June, 2022.

CATAWBA SHORES NORTH CONDOMINIUM ASSOCIATION

By: 
SHEILA A. FLANNERY, President


By: 
TIM KEYS, Treasurer

STATE OF OHIO)
COUNTY OF Ottawa) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above-named Catawba Shores North Condominium Association, by its President and its Treasurer, who acknowledged that they did sign the foregoing instrument, on Page 5 of 7, and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

I have set my hand and official seal this 27th day of June, 2022.

Melinda J Stacy
NOTARY PUBLIC

Place notary stamp/seal here:


This instrument prepared by:
KAMAN & CUSIMANO, LLC
Attorneys at Law
405 Madison Avenue, Suite 1000
Toledo, Ohio 43604
(419) 491-7562
ohiocondolaw.com

EXHIBIT A

CERTIFICATION OF PRESIDENT AND TREASURER

SHEILA A. FLANNERY and TIM KEYS, being the duly elected and acting President and Treasurer of the Catawba Shores North Condominium Association, certifies that the Amendment to the Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5331 of the Revised Code of Ohio for Catawba Shores North Condominium was duly adopted in accordance with the provisions set forth in the Declaration for amendments in all material respects.

[Signature of Sheila A. Flannery]
SHEILA A. FLANNERY, President

[Signature of Tim Keys]
TIM KEYS, Treasurer

STATE OF OHIO)
COUNTY OF Ottawa) SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above-named SHEILA A. FLANNERY and TIM KEYS who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

I have set my hand and official seal this 27th day of June, 2022.

[Signature of Notary Public]
NOTARY PUBLIC

Place notary stamp/seal here:
MELINDA J STACY
Notary Public
State of Ohio
My Comm. Expires
June 7, 2025